



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Los Angeles River Center and Gardens

570 West Avenue 26, Suite 100

Los Angeles, California 90065

Phone (323) 221-9944 Fax (323) 221-9933

MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Executive Officer

DATE: May 11, 2005

SUBJECT: **Agenda Item VI: Consideration of adoption of Ordinance No. 01-2005 regarding park rules and regulations, waive second reading and adopt Ordinance No. 01-2005, "An Ordinance of the Mountains Recreation and Conservation Authority amending the Mountains Recreation and Conservation Authority Ordinance establishing park rules and regulations, and prescribing the punishment for violations thereof." Ordinance No. 01-2005 modifies existing Ordinance No. 01-2004.**

Staff Recommendation: That the Governing Board waive second reading and adopt Ordinance No. 01-2005, "An Ordinance of the Mountains Recreation and Conservation Authority establishing park rules and regulations, and prescribing the punishment for violations thereof.

Legislative Authority: Public Resources Code Section 5782.21 provides, in part, as follows:

Districts may adopt and enforce all rules, regulations, ordinances, and bylaws necessary for the administration of government, and protection of the property, improvements, and facilities under the management or belonging to the district.

Government Code Section 53069.4 provides, in part, as follows:

The legislative body of a local agency, as the term "local agency" is defined in Section 54951, may by ordinance make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty. The local agency shall set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of those administrative fines or penalties.

Agenda Item VI
May 11, 2005
Page 2

Procedure for Adoption: Pursuant to procedures adopted by the Conejo Recreation and Park District, the MRCA may adopt an ordinance after a first and second public reading, approval by the Governing Board, and the publishing of the adopted ordinance. The MRCA has sought the opinion of outside legal counsel on this matter, and it is their opinion that this procedure complies with all applicable laws.

The proposed ordinance is attached hereto.